

ADMINISTRATIVE - 1

Resolution Honoring Lynn S. Tadlock upon Her Retirement from the Park Authority (with Presentation)

ISSUE:

Approval of a resolution to honor the service and accomplishments of Ms. Lynn S. Tadlock upon her retirement from the Park Authority.

RECOMMENDATION:

The Park Authority Director recommends approval of the resolution for Ms. Lynn S. Tadlock upon her departure from the Park Authority.

TIMING:

Board action is requested on September 13, 2006.

BACKGROUND:

Ms. Tadlock has worked with the Park Authority for over 27 years and has made numerous contributions to the agency and its mission. During her long and accomplished tenure, she has worked at RECenters and parks, and most recently has served as Director of the Planning and Development Division. She has served as a key member of the agency leadership team.

In addition, Ms. Tadlock has served as an important emissary for the Park Authority, having received numerous letters of commendation and representing many award-winning projects. Ms. Tadlock represents the experience of a career employee who has dedicated tremendous amounts of time and energy to ensuring an enhanced quality of life for Fairfax County citizens.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1: Resolution

Board Agenda Item
September 13, 2006

STAFF:

Michael A. Kane, Director

Timothy K. White, Chief Operating Officer

Judith A. Pedersen, Public Information Officer

WHEREAS, Lynn Tadlock began her career with the Fairfax County Park Authority as an intern and over the past 27 years has risen through the ranks to become Director of the Planning and Development Division making a positive impact in countless ways; and

WHEREAS, Ms. Tadlock has worked at numerous sites and facilities during her long and accomplished tenure, beginning as a seasonal employee at Wakefield RECenter in 1979 and becoming a Community Recreation Specialist just months later; being promoted to Manager of the Grange in 1984, working at Nottoway Park until she moved to the Division of Programming and Marketing as a Park Management Specialist in 1987, and, in 1995, being promoted to her current position as Division Director; and

WHEREAS, Lynn has been a key member of the agency leadership and an important emissary for the Park Authority receiving numerous letters of commendation and representing a host of award-winning projects; and

WHEREAS, her work and leadership on several noteworthy inaugural programs and high profile projects includes Feel Good Fairfax, the agency's first Comprehensive Plan, two Needs Assessment Plans including a 10-year Capital Improvement Plan, three successful bond referenda, negotiation of more than \$6 million in proffered cash, acquisition of more than 7,000 acres of parkland including such notable properties as Laurel Hill, Sully Woodlands, Salona, and Patriot Parks, dozens of successful park master plans and conceptual plans, and more than \$200 million in park design and construction including Green Spring Horticulture Center, Twin Lakes Golf Course, Laurel Hill Golf Course, Cub Run Recreation Center, Mason District Amphitheatre and the Cross County Trail; and

WHEREAS, Ms. Tadlock has been an inspiration and role model to many, epitomizing the experience of several career employees at the Park Authority who have dedicated their time and energy to the citizens of Fairfax County and the mission of the agency to protect the County's resources and provide recreational opportunities; and

WHEREAS; upon her retirement from public service we wish her well and note that she will be missed greatly by colleagues and friends alike;

NOW, THEREFORE, BE IT RESOLVED by the Fairfax County Park Authority that it expresses appreciation and thanks to

Lynn S. Tadlock

for dedicated and outstanding contributions to the Park Authority and the citizens of Fairfax County.

Adopted by the Fairfax County Park Authority Board on September 13, 2006

Frank S. Vajda
Secretary -Treasurer

Harold L. Strickland
Chairman

Board Agenda Item
September 13, 2006

ADMINISTRATIVE - 2

Adoption of Minutes – July 26, 2006 Park Authority Board Meeting

ISSUE:

Approval of the minutes of the July 26, 2006 Park Authority Board meeting.

RECOMMENDATION:

The Park Authority Director recommends approval of the minutes of the July 26, 2006 Park Authority Board meeting.

TIMING:

Board action is requested on September 13, 2006.

FISCAL IMPACT:

None

ENCLOSED DOCUMENT:

Attachment 1: Minutes of the July 26, 2006 Park Authority Board meeting

STAFF:

Michael A. Kane, Director
Timothy K. White, Chief Operating Officer
Nancy L. Brumit, Administrative Assistant

**Fairfax County Park Authority
Board Meeting
July 26, 2006**

The Chairman convened the meeting at 7:37 p.m. at Park Authority Headquarters, 12055 Government Center Parkway, Fairfax, Virginia 22035.

Board Members

Harold L. Strickland, Chairman
Joanne E. Malone, Vice Chairman
Frank S. Vajda, Secretary-Treasurer
Edward R. Batten, Sr.
William G. Bouie
Kevin J. Fay
Kenneth G. Feng*
Harry Glasgow
Georgette Kohler
George E. Lovelace
Gilbert S. McCutcheon
Winifred S. Shapiro

*Board Member Absent

Staff

Michael A. Kane, Director
Timothy K. White, Deputy Director
Barbara J. Gorski, Administrative Assistant

Charlie Bittenbring
Bob Brennan
Todd Johnson
Elisa Lueck
Cindy Messinger
Miriam Morrison
Judy Pedersen
Lynn Tadlock

Guests:

Bob Betsold
Sherry Frear
Sue Frinks
Kirk Holley
Mike Lambert
John Lehman
Kay Rutledge
Sue Tibbetts

Guests: Citizens interested in the White Horticultural Park:

Lawrence Pierce	Patricia Gordon	Chris Delta
Maria Turro	Susan Carpenter	Dick Carpenter
Neal Straker	Alice Straker	

AGENDA CHANGES

Mr. Strickland asked if there were any changes to the Agenda. Mr. Kane requested that Legal Matters and Personnel Matters be deferred from Closed Session; however, Land Acquisition Matters and Adoption of Closed Session Minutes would remain on the Agenda. With these changes, Mr. Strickland announced that he would proceed with the Agenda (as publicized).

There were no objections from the Park Authority Board.

ADMINISTRATIVE ITEM**ADMIN-1 Resolution Honoring Nancy L. Brumit upon her retirement from the Park Authority**

Mr. Vajda **MOVED** the Park Authority Board approve this resolution honoring Mrs. Nancy L. Brumit upon her retirement from the Park Authority; **SECONDED** by Mr. McCutcheon and **APPROVED** with Mr. Feng being absent.

PRESENTATION: Mr. Kane read and presented the Resolution to Nancy Brumit. Mrs. Brumit thanked the Park Authority Board for all their support throughout the years.

ADMIN-2 Approval – Request for Land Dedication for SEA 80/L/V-061 Overlook Ridge/Lorton Debris Landfill

This item was reviewed by the Planning and Development Committee on July 12, 2006 and was approved for submission to the Park Authority Board.

Mr. McCutcheon **MOVED** the Park Authority Board approve the following summary comments regarding SEA 80/L/V-061 Overlook Ridge/Lorton Debris Landfill:

- The Park Authority requests that the applicant proffer to dedicate the entire 250-acre subject property to the Park Authority for public park purposes when the landfill is completely closed and capped, the owner's responsibility for the site is released by the Virginia Department of Environmental Quality (DEQ), and the site condition is deemed acceptable to the Park Authority.
- The Park Authority requests that the applicant provide passive recreation amenities such as trails, picnic areas and pavilions, open play areas and an overlook plaza at the site's highest point. The applicant should construct all of these facilities to Park Authority standards in consultation with Park Authority staff.
- Active recreation facilities such as a BMX race track and sledding hill with access steps as shown on the Development Plan are not recommended. For liability and management reasons, the Park Authority is not interested in owning, operating, or maintaining such facilities.

- The Park Authority strongly recommends that the applicant control non-native, invasive vegetation on the site. The applicant should establish a vegetation management plan that will control invasives and promote the establishment of native meadow species. The plan should also define the species and types of woody vegetation that are beneficial or harmful on the stabilized landfill surface to promote long-term stability, benefit wildlife and be aesthetically pleasing and recreationally beneficial. Establishing and implementing a vegetation management plan will contribute to making this location a quality wildlife habitat and viewing area.
- The Park Authority requests that the applicant provide public access trail connections from the site to the Laurel Hill parkland, Greenway, and Sportsplex area.

The MOTION was **SECONDED** by Mr. Glasgow and **APPROVED** with Mr. Feng being absent.

There was no discussion on this item.

ADMIN-3 Adoption of Minutes - July 12, 2006, Park Authority Board Meeting

Mr. Lovelace **MOVED** the Park Authority Board accept the minutes of the July 12, 2006 Park Authority Board meeting; **SECONDED** by Mr. Glasgow and **APPROVED** with Mr. Feng being absent.

There was no discussion on this item.

ACTION ITEM

A-1 Approval – Master Plan for White Horticultural Park

This item was reviewed by the Planning and Development Committee on July 12, 2006 and was approved for submission to the Park Authority Board.

Mr. Vajda **MOVED** the Park Authority Board approve the Master Plan for John C. and Margaret K. White Horticultural Park; **SECONDED** by Mr. Glasgow and **APPROVED** with Mr. Feng being absent.

Mr. Batten thanked Frank Vajda for the leadership that he showed and the full cooperation that he engendered from the board members in pursuit of this master plan. Mr. Batten thanked Mr. Vajda personally and professionally for a job well done.

Mr. Glasgow added that the staff that worked on this project was astonishing and their work is worth recognition by this Board. Staff members involved in this project are Sandy Stallman, Irish Grandfield, Andi Dorlester, and Sherry Frear.

A-2 Adoption of the Fairfax County Purchasing Resolution

Mr. Lovelace **MOVED** the Park Authority Board approve the adoption of the June 26, 2006 revised Fairfax County Purchasing Resolution; **SECONDED** by Mr. McCutcheon and **APPROVED** with Mr. Feng being absent.

There was no discussion on this item.

A-3 Approval – Open End Contracts for Professional Services at Laurel Hill Park

Mr. McCutcheon **MOVED** the Park Authority Board approve the one-year contracts, with two (2) one-year extensions at the option of the Park Authority, with professional service contract teams headed by EDAW, Inc. and Lardner/Klein Landscape Architects, P.C. Contract limits will be set at annual not-to-exceed amounts of \$600,000 for EDAW and \$400,000 for Lardner/Klein. These firms will provide a variety of professional services to support both Park Authority and Department of Planning and Zoning activities at Laurel Hill Park; **SECONDED** by Mr. Bouie and **APPROVED** with Mr. Feng being absent.

There was no discussion on this item.

A-4 Approval – License Agreement Between Fairfax County Park Authority and Washington D.C. SMSA Limited Partnership in Pimmit Run Stream Valley Park

Mr. Fay **MOVED** the Park Authority Board approve the license agreement between Fairfax County Park Authority and Washington D.C. SMSA Limited Partnership to install telecommunication equipment and related structures in Pimmit Run Stream Valley Park; **SECONDED** by Mr. Lovelace and **APPROVED** with Mr. Feng being absent and Ms. Malone voting **NAY**.

There was no discussion on this item.

A-5 Award of Contracts during Park Authority Board Recess

Mr. Lovelace **MOVED** the Park Authority Board authorize the Director or Deputy Director to approve capital construction contracts and submission of grant applications during the Park Authority Board recess; **SECONDED** by Mr. Batten and **APPROVED** with Mr. Feng being absent.

There was no discussion on this item.

A-6 2007 General Assembly

This item was reviewed by the Administrative, Management and Budget Committee on July 12, 2006 and was approved for submission to the Park Authority Board.

Mr. Batten **MOVED** the Park Authority Board approve the two submissions to the County Executive for inclusion in the draft County legislative program for the 2007 Virginia General Assembly as presented to and reviewed by the Administration, Management and Budget Committee on July 12, 2006; **SECONDED** by Mr. McCutcheon and **APPROVED** with Mr. Feng being absent.

There was no discussion on this item.

A-7 Scope Approval – Reconstruction of Access Road at Wakefield Park

This item was reviewed by the Planning and Development Committee on July 12, 2006 and was approved for submission to the Park Authority Board.

Mrs. Shapiro **MOVED** the Park Authority Board approve the project scope to reconstruct the access road at Wakefield Park; **SECONDED** by Mr. McCutcheon and **APPROVED** with Mr. Feng being absent.

There was no discussion on this item.

A-8 Scope Approval – Hidden Oaks Nature Center Low Impact Development (LID) Parking Lot Improvements

This item was reviewed by the Planning and Development Committee on July 12, 2006 and was approved for submission to the Park Authority Board.

Mr. Vajda **MOVED** the Park Authority Board approve the project scope to design and construct a 20-space LID parking lot to replace the existing 4-space asphalt parking lot at Hidden Oaks Nature Center; **SECONDED** by Mr. McCutcheon and **APPROVED** with Mr. Feng being absent.

There was no discussion on this item.

A-9 Approval – Placement of Memorial Plaque at McLean Central Park

This item was reviewed by the Planning and Development Committee on July 12, 2006 and was approved for submission to the Park Authority Board.

Mr. Fay **MOVED** the Park Authority Board approve the placement of a 10" x 12" memorial plaque set on a flat concrete base behind and between two benches near the tot lot at McLean Central Park; **SECONDED** by Mr. Lovelace and **APPROVED** with Mr. Feng being absent.

There was no discussion on this item.

A-10 Approval – 2006 Park Authority Bond Program

This item was reviewed by the Funding Policy and Bond Committee on July 26, 2006 and was approved for submission to the Park Authority Board.

Mr. Lovelace **MOVED** the Director's recommendation which was **SECONDED** by Mr. Glasgow. The following **SUBSTITUTE MOTIONS** replaced this MOTION.

Mr. Lovelace stated that after the July 26, 2006 Funding Policy and Bond Committee discussions earlier, he would provide the following four **SUBSTITUTE MOTIONS** for approval. **There were no objections from the Park Authority Board.**

- Mr. Lovelace **MOVED** the Park Authority Board approve the categorical distribution of the 2006 Park Bond funds as follows:

Synthetic Turf Fields	\$10,000,000
Land Acquisition	\$10,000,000
Trail Development	\$5,000,000

The MOTION was **SECONDED** by Mr. Glasgow and **APPROVED** with Mr. Feng being absent.

- ▶ Mr. Lovelace **MOVED** the Park Authority Board approve the 2006 Park Bond trail projects as approved by the Funding Policy and Bond Committee on July 26, 2006; **SECONDED** by Mr. Glasgow and **APPROVED** with Mr. Feng being absent.
- ▶ Mr Lovelace **MOVED** the Park Authority Board approve the land acquisition criteria adopted by the Park Authority Board on May 8, 2002, as that which will be used to determine the 2006 Park Bond acquisitions; **SECONDED** by Mr. Glasgow and **APPROVED** with Mr. Feng being absent.
- ▶ Mr. Lovelace **MOVED** the Park Authority Board approve the 2006 Park Bond synthetic turf projects as presented at the July 26, 2006, Funding Policy and Bond Committee and the criteria for field selection (as amended) These include:
 - Lewinsville
 - Bryant Center
 - Poplar Tree (2 fields)
 - Sandburg Middle School
 - South Run (2 fields)
 - Franconia District Park
 - Lake Fairfax Park
 - Hutchison Elementary School (2 fields)
 - Bailey Elementary School

The MOTION was **SECONDED** by Mr. Glasgow.

Mrs. Shapiro **AMENDED** the MOTION to include the criteria for field selection:

The fields to be selected would be those that most closely meet the following criteria:

- Existing rectangular fields**
- Minimum playing surface of 370' x 190'
- Currently lighted, or master plan approval for lighting exists
- Conversion would require minimal site work and/or amenity improvements
- The project can be permitted by the Department of Public Works and Environmental Services through a minor site plan or rough grading permit (RGP)
- Geographically distributed throughout the County
- Reduce rectangular field deficiencies that are identified in the 2004 Park Authority Needs Assessment

** Any construction of synthetic turf fields on property owned by Fairfax County Public Schools will require a long-term agreement that addresses the construction, community use, maintenance, and eventual replacement of the field.

DRAFT MINUTES

Messrs. Lovelace and Glasgow **ACCEPTED the AMENDMENT** to the MOTION to include the criteria for field selection.

The MOTION was **APPROVED** with Mr. Feng being absent.

INFORMATION ITEMS

I-1 Extension of Lease of Quarry to Vulcan Materials Company

The Board directed staff to proceed to work with the County Attorney's Office on a lease extension agreement for property within the former Lorton Correctional Complex with Vulcan Materials Company. The Board also directed the Park Authority Director to execute the extension agreement. No action was necessary.

I-2 2006-2010 Strategic Plan

The draft 2006-2010 Strategic Plan was presented to the Strategic Planning and Initiatives Committee on July 26, 2006. At the July 26, 2006 meeting, staff received comments on the draft plan document and received feedback from the Strategic Planning and Initiatives Committee on outreach efforts (timing, audience, etc.).

The Board directed staff to proceed to share the draft plan document with stakeholders under the terms discussed and agreed to in the Strategic Planning and Initiatives Committee meeting on July 26, 2006. There was no action on this item.

I-3 Laurel Hill Sportsplex Proposal - Fiscal and Business Plan Analysis Schedule

Staff provided information related to work by an independent consultant for fiscal analysis of the Laurel Hill Sportsplex PPEA proposal. No action was necessary.

CHAIRMAN'S MATTERS

- **Park Authority Director's Performance evaluation**

Mr. Strickland distributed the director's performance evaluation and asked the Board Members to fax or email their comments to him by August 11, 2006. The Executive Committee will meet on August 15, 2006 to discuss the comments. The final evaluation is to be delivered to the County Executive by August 18, 2006.

DIRECTOR'S MATTERS

- **Storm Damage Update**

Mr. Kane called the Board's attention to a memo in their mail packages regarding the final assessment of the flood damage that occurred in June 2006. The attachment documents the damage and losses by park and by supervisory district. The final damage assessment totals \$1.3M. The agency is working with Risk Management to recover the \$1.3M either through Risk Management or from the catastrophic loss insurance carrier, which covers everything over \$250,000 per episode.

- **Water Mine's One Millionth Visitor**

Mr. Kane announced that five-year-old Peyton Jacobs became the one-millionth customer at the Water Mine Family Swimming Hole on Friday, July 14, 2006. Unaware of the significance of her visit, Peyton entered the park with her mother, Lisa Jacobs, and her seven-year-old sister Schylar, around 10:30 a.m. As she crossed the threshold, cameras flashed and staff and members of the media lavished both attention and prizes on the young patron.

Mr. Kane stated that the water park had eagerly anticipated the sale of this special ticket and surprised Peyton with a free lifetime admission to the western themed water park, a 2007 family pass, and a goodie bag filled with extra large beach towels, hats, sunglasses, sunscreen and bottled water. Peyton also received a free ticket for a tour boat cruise on Lake Accotink in Springfield, free mini-golf passes, a fall trout-fishing pass, free camping at Lake Fairfax and coupons for Papa John's Pizza. Peyton spent her day at the WaterMine floating along the gentle currents of Rattlesnake River and frolicking in the sprinklers.

- **Thuy Kimbrell Receives an Outstanding Performance Award**

Mr. Kane reported that Thuy Kimbrell is a member of our Purchasing Branch and a dedicated employee, whose "can do attitude" is inspiring to us all. During a ten-month period, Thuy went far beyond her normal responsibilities by volunteering to perform all the duties of a vacant position until the position could be filled. Even when faced with the most challenging tasks of learning many new skills in a short time period, Thuy accomplished them all in an exemplary manner. Mr. Kane congratulated Thuy Kimbrell for a job well done.

- **Cross County Trail Funds Received from VDOT**

Mr. Kane reported that last month the Park Authority received notice from the Virginia Department of Transportation (VDOT) that the Commonwealth Transportation Board approved its application for Enhancement Program funds in the amount of \$435,000 for development of the Cross County Trail (CCT). The funds will be used in the CCT segment in the Accotink Stream Valley between the Lake Accotink Dam and Old Keene Mill Road in the Braddock District. The current work plan includes a project to relocate and to improve a

portion of the CCT in this area. Staff is coordinating with VDOT for project approval in accordance with grant requirements. To receive the grant the Park Authority is required to show a funding match in the project of 20% of the value of the award.

- **Laurel Hill Hosted the Golf Styles Summer Solstice Survival Golf Tournament on June 16, 2006**

Mr. Kane reported that the Laurel Hill Golf Course along with other premier facilities in the area hosted the Golf Styles Summer Solstice Survival Golf Tournament, which is a 54-hole-in-a-day tournament that originated here in the Mid-Atlantic section. The tournament has now expanded to include new markets along the east coast. This year's events attracted over 1,000 players. The event at Laurel Hill Golf Course was a huge success. Lunch was provided by our Food and Beverage Director, Edison Rosales. In addition, catering arrangements were made through King Street Blues for dinner provided after the event.

For many of the people at this year's event, it was their first experience at Laurel Hill Golf Club. In the most recent edition of Golf Styles Magazine, it was reported that "the county has one of America's unique layouts." Despite both the weather conditions and the construction still in process of some of the facilities including the clubhouse, the event was extremely successful. Comments ranged from outstanding to one of the best courses in the region. Prior to the event, Rick Owens and his staff did an outstanding job in preparing the course for play including the messy job of reviving the many bunkers we have on the course. At the conclusion of the event, we received inquiries about memberships, company outings, and future tournament information.

- **Corporate Farm Olympics at Frying Pan Farm Park**

Bob Brennan, Executive Director of the Park Foundation, stated that the success of the Cross County Trailfest prompted additional creative thinking. Staff of Frying Pan Farm Park, the Resource Management Division, and the Park Foundation got together to bring about another fun event. Mr. Brennan distributed a sample invitation to the Corporate Farm Olympics, a competitive day of fun and team building for local corporations at Frying Pan Farm Park. Events will encourage employees to build great teams, but also will allow them to compete against other local companies.

Mr. Brennan distributed an event overview that includes information on various Sponsorship Packages. A company has come forward as the "Presenting Sponsor" and four teams have committed to participation. There will be Team Sponsors, Competition Sponsors, and Tee-Shirt Sponsors.

Corporate Farm Olympics was featured in the *Herndon Observer*, which is going to be the Foundation's media partner. The paper featured an article on July 7, 2006 about the upcoming event.

The Foundation is going to get real aggressive with marketing for the event. Staff from Frying Pan Farm Park created mini hay bales that will have a corporate barn, complete with farm animals that will be hand-delivered to approximately 45 companies as an invitation to participate.

The event will be held on Thursday, October 19, 2006 at Frying Pan Farm Park. Mr. Brennan stated that he hoped Mr. Kane would allow the Park Authority's Leadership Team to participate in the event in lieu of the regular Leadership Team meeting on that date.

Logos were designed by the Production Services staff under Daphne Hutchison's leadership. Judy Pedersen made sure the Foundation abided by the County's Communication Strategy and materials are ADA compliant.

Mr. Brennan noted that the Foundation has a new partner -- the Dulles Chamber of Commerce.

- **Board Calendar**

Mr. Kane distributed the revised Park Authority Board Calendar and noted the change in the date for the picnic with friends, partners and the Board of Supervisors. The new date is September 30, 2006 at 3:30 p.m. and will be held on the lawn at Ellmore Farm, 2739 West Ox Road in Herndon.

Mr. Kane noted that September 30, 2006 will be a busy day for the Hunter Mill District. Other events for the day include the renaming and sign unveiling of the Fred Crabtree Park and the Cider Press dedication at Frying Pan Farm Park. The picnic with friends, partners, and the Board of Supervisors has been moved from Lake Fairfax to Frying Pan Farm Park to facilitate the logistics of this very busy day.

- **Leave**

Mr. Kane distributed a memo notifying the Park Authority Board of his upcoming leave and announcing that Mr. White will serve as director during his absence.

COMMITTEE REPORTS AND SPECIAL ASSIGNMENTS

STANDING COMMITTEES

Administration, Management and Budget Committee

Chairman: Mr. Feng

Members: Ms. Kohler, Ms. Malone, Mrs. Shapiro and Mr. Batten

Staff: Miriam C. Morrison, Division Director for Administration

Ms. Malone, Member of the Administration, Management and Budget Committee, distributed copies of the committee minutes dated May 10, 2006. The next committee meeting will be announced.

Diversity and Succession Committee

Chairman: Ms. Kohler

Members: Messrs. Batten, Feng, Lovelace and Vajda

Staff: Leslie Amiri, Director of Human Capital Development

Ms. Kohler, Chairman of the Diversity and Succession Committee, reported that the next committee meeting will be announced.

Elly Doyle Park Service Award Committee

Chairman: Mr. Glasgow

Members: Ms. Kohler, and Messrs. Feng, McCutcheon and Vajda

Staff: Judy Pedersen, Public Information Officer

Mr. Glasgow, Chairman of the Elly Doyle Park Service Award Committee, reported that the next committee meeting would be announced.

EXECUTIVE COMMITTEE

Chairman: Mr. Strickland

Members: Ms. Malone and Mr. Vajda

Staff: Michael Kane, Director of the Fairfax County Park Authority

Mr. Strickland, Chairman of the Executive Committee, distributed copies of the committee minutes dated June 14 and June 28, 2006. The next committee meeting is scheduled for August 15, 2006.

Funding Policy and Bond Committee

Chairman: Mr. Lovelace

Members: Ms. Malone, Mrs. Shapiro, Mr. Bouie and Mr. Fay

Staff: Tim White, Chief Operating Officer

Mr. Lovelace, Chairman of the Funding Policy and Bond Committee, distributed copies of the committee minutes dated July 12, 2006. The next committee meeting will be announced.

Park Operations Committee

Chairman: Mr. Bouie

Members: Ms. Malone, Messrs. Fay, Lovelace and McCutcheon

Staff: Todd Johnson, Division Director for Park Operations

Mr. Bouie, Chairman of the Park Operations Committee, distributed copies of the committee minutes dated April 26, 2006. The next committee meeting will be announced.

Park Services Committee

Chairman: Mr. Batten

Members: Messrs. Glasgow, Lovelace, McCutcheon, and Vajda

Staff: Charlie Bittenbring, Division Director for Park Services

Mr. Batten, Chairman of the Park Services Committee, reported that the next committee meeting will be announced.

Planning and Development Committee

Chairman: Mrs. Shapiro

Members: Ms. Malone, Ms. Kohler, Mr. Fay and Mr. Vajda

Staff: Lynn Tadlock, Division Director for Planning and Development

Mrs. Shapiro, Chairman of the Planning and Development Committee, distributed copies of the committee minutes dated July 12, 2006. The next committee meeting will be announced.

Resource Management Committee

Chairman: Mr. Vajda

Members: Mrs. Shapiro, Messrs. Batten, Feng and Glasgow

Staff: Cindy Messinger, Division Director for Resource Management

Mr. Vajda, Chairman of the Resource Management Committee, distributed copies of the committee minutes dated June 28, 2006. The next committee meeting will be announced.

DRAFT MINUTES

Strategic Planning and Initiatives Committee

Chairman: Mr. Fay

Members: Mrs. Shapiro, and Messrs. Bouie, Glasgow and Lovelace

Staff: Elisa Lueck, Manager of Strategic Initiatives and Policy Development

Mr. Fay, Chairman of the Strategic Planning and Initiatives Committee, reported that the next committee meeting will be announced.

FOR THE RECORD

Mr. Vajda requested that the Administration, Management and Budget Committee minutes dated May 10, 2006, the Executive Committee minutes dated June 14 and June 28, 2006, the Resource Management Committee minutes dated June 28, 2006, the Planning and Development Committee minutes dated July 12, 2006, the Funding Policy and Bond Committee minutes dated July 12, 2006 and the Park Operations Committee minutes dated April 26, 2006 be entered into the record. **IN THE ABSENCE OF AN OBJECTION, SO ORDERED.**

BOARD MATTERS

- **Joanne E. Malone**

Ms. Malone reported that the South Railroad Street Park public hearing was held on Monday, July 24, 2006. Ms. Malone noted that this is a very community driven park. The community favorably accepted the master plan, and she looks forward to bringing the project to a close. Ms. Malone stated that staff has worked very hard on the park.

Ms. Malone thanked George Lovelace, Frank Vajda and Winnie Shapiro for attending the meeting.

- **Frank S. Vajda**

Mr. Vajda thanked Mr. Batten for the kind words he spoke earlier in the meeting with regard to the White Horticultural Park. Mr. Vajda emphasized that White Horticultural Park's success was due in large part to staff, and Mr. Vajda singled out Sandy Stallman for doing a magnificent job. Mr. Vajda also complimented the citizenry for making the board and staff look at things they may have overlooked and he hopes they will continue to attend other Park Authority meetings to see how business is conducted.

Mr. Vajda called the Board's attention to the Farmers' Market Schedule that he distributed. Mr. Vajda thanked staff at Green Spring Gardens for administering the program and invited everyone to visit one of the sites.

- **Gilbert S. McCutcheon**

Mr. McCutcheon expressed his heart-felt remorse that his friend, Nancy Brumit, has seen fit to retire. Nancy telephones him every Tuesday morning at 6:00 a.m. to make sure he is awake, has finished breakfast, and is ready to go to the Mount Vernon Farmers' Market. Nancy has done this ever since he became a member of the Board. He indicated that he would miss her calls, stating that he forgot to ask her if she was going to continue to call. Occasionally Nancy's husband, Bob, would call. The two of them have been great friends.

- **Winifred S. Shapiro**

Mrs. Shapiro reminded the Board that the groundbreaking for the artificial turf field at Wakefield Park will take place on Friday, July 28, 2006 at 9:00 a.m. followed by the groundbreaking at Mason District Park at 10:30 a.m. There will be small ceremonies with Supervisors present, athletic people, and it should be fun.

- **Kenneth G. Feng**

Mr. Feng was absent.

- **Kevin J. Fay**

Mr. Fay thanked Georgette Kohler, Winnie Shapiro and Mike Kane for attending the dedication of the Griffith Water Treatment Plant. Mr. Fay also thanked Mr. Strickland for sending a letter on behalf of the Park Authority Board to the Chairman of the Fairfax County Water Authority on the dedication of the new water treatment plant.

Mr. Fay stated that he thinks it is important for the Park Authority to continue to work with the Water Authority. The new facility covers 100 acres of the 150-acre site, and is a state of the art facility. Mr. Fay stated that everyone should take the time to visit the site. Mr. Fay noted that the suffragist rededication was also quite interesting.

Mr. Fay also stated that he received the re-design proposal for the memorial garden for Nike Park, which he will pass along to staff.

Mr. Fay called the Board's attention to a note from Congressman Wolf about the \$100,000 earmarked in the Labor HHS Bill for Clemyjontri Park. Mr. Fay stated that he would speak to staff about the use of those funds. The bill has not passed to date.

- **Edward R. Batten, Sr.**

Mr. Batten indicated that Mr. Glasgow would address what Historic Huntley is hoping to get from Congress.

Mr. Batten reported that Mr. Kane has spoken with the Park Foundation concerning advocacy. At the last meeting, he was extremely pleased to learn that there are additional monies that will be forthcoming for specific projects. Mr. Batten asked Bob Brennan to speak to this. The Park Authority is always pleased when someone remembers the Park Authority.

Mr. Brennan stated that thanks to Kay Rutledge this donation all came together. There was a woman who lived in a Tysons Corner high-rise who would look out her window every day and it would bring tears to her eyes seeing all the development. One of her last wishes was to leave money to Open Space Land Preservation in the County. She directed her attorney to make sure that Parks do something significant with her money. She left \$250,000 to open space. The Foundation has received \$150,000 and is waiting for the estate to be settled to receive the final \$100,000. Mr. Batten, as liaison to the Foundation, participated in discussions about what to do with this donation.

Mr. Batten thanked Todd Johnson for the help he provided in getting feedback regarding Mark Twain Park and what the agency is attempting to do to meet the needs of some of our citizens in that area.

- **Georgette Kohler**

Ms. Kohler stated that she was going to miss Nancy Brumit. Nancy has been phenomenal to her, personally, with a number of personal issues. Nancy has gone out of her way to do some very special things for her, acknowledging and phoning, and so on and so forth. Ms. Kohler added that she emails Nancy back and forth with little things once in a while. They have had quite a relationship and she will miss that. She expressed her thanks to Nancy for all she had done for her.

- **George E. Lovelace**

Mr. Lovelace shared the results of the last Athletic Council meeting. The Athletic Council members were very pleased and supportive of the Park Authority's efforts pertaining to synthetic turf fields.

Mr. Lovelace asked if the Park Authority had been contacted regarding participation in a comprehensive after school program for middle school aged children. Barbara Nugent reported that John Berlin, Program Section Manager, Ellen Greenberg and Janet Weaver have always participated in middle school activities programming. They are working with the Department of Community and Recreation Services and the public school system, which has staff and resources that we share. The agency is very actively involved.

Mr. Lovelace brought the Board up-to-date on the Virginia 2007 Committee efforts. He reported that at the last meeting on Tuesday, July 25, 2006 a book entitled, A Look Back at Braddock, was presented by Gil Donohue and Mary Lipsey.

The Committee has developed approximately 16 public service announcements that are going to air on Channel 16 that are very interesting and entertaining, and right on the mark as it pertains to history in Fairfax County.

A legacy project is under development. It is a book that contains approximately 30 articles from citizens on their thoughts from an historical point of view.

Mr. Lovelace reported that he was elated when a citizen on the Virginia 2007 Committee came to him and stated that she was so pleased with the park system. She felt it was a great way for citizens to spend their money, and they are getting a lot for it.

Mr. Lovelace stated that Nancy Brumit was like a window to the Board when he became a Board member. She monitored every step he took to make sure that he did not fall into any traps that may have been laid for him. She was a blessing to him, he appreciated what she did, and he will miss her.

- **Harrison A. Glasgow**

Mr. Glasgow read the Committee results of the Elly Doyle Park Service Awards Nominations.

The Elly Doyle Award recipients for 2006 are:

- **The Chantilly Youth Association, Inc.**- nominated by Supervisor Frey
- **Russell Slater from Hidden Oaks Nature Center** - nominated by Suzanne Holland from Hidden Oaks Nature Center
- **P. J. Dunn, a volunteer at Huntley Meadows Park** - nominated by Ann Stat, Volunteer Coordinator at Huntley Meadows Park
- **Sally Holtgrieve, a student honoree from Hidden Pond Nature Center** - nominated by Jim Pomeroy, Manager of Hidden Pond Nature Center

Elly Doyle Recognitions for 2006 are:

- **Michael J. Moran, Colvin Run Mill** - nominated by Mary Allen, Colvin Run Mill
- **The Friends of Nottoway Park** - nominated by Supervisor Smyth
- **Cathy Mayes, volunteer at Riverbend Park** - nominated by Marty Smith, Manager of Riverbend Park
- **Centreville Dogs** - nominated by Supervisor Frey
- **Bill Koch, Burke Lake Park** - nominated by Charlie Reagle, Burke Lake Park

DRAFT MINUTES

Mr. Glasgow noted that the Board also received a copy of the press release that will be distributed on July 28, 2006 and a list of all the previous Elly Doyle winners and honorees since 1989. The Elly Doyle Committee appreciates all the assistance it received from its members and from the Board as a whole. The Elly Doyle event will take place on November 17, 2006 at the Waterford at Fair Oaks.

Mr. Glasgow, who also serves on the Northern Virginia Soil and Water Conservation District Board (NVSWCD), stated he was pleased to announce that the NVSWCD announced the winner of its Cooperator Award, and that winner is the Park Authority's **Resource Management Division**. This award is given to individuals or organizations in or out of the government who have done the most to help and assist the NVSWCD in its very important work. This demonstrates the level of cooperation and effort between the Park Authority and the NVSWCD.

Mr. Glasgow stated that when he first came to the Park Authority he brought his little bags of tea and a cup. From that point on, Nancy Brumit has taken care of his cup. She washes it and places it at his seat before every meeting. Mr. Glasgow is looking for a volunteer to take care of his cup once Nancy is gone; so Nancy cannot leave. This gesture displays the things Nancy has done for the Board--the personal touches, as well as the very professional support the Board receives.

Per Mr. Batten's earlier request, Mr. Glasgow reported on the federal legislation that may help with the restoration of Historic Huntley. Recently, Mr. Moran has placed \$50,000 in a House Bill for Historic Huntley. There is an additional \$200,000 in another Bill for Historic Huntley.

- **William G. Bouie**

Mr. Bouie thanked Nancy Brumit for all of her help in keeping him out of Mr. Lovelace's traps.

Mr. Bouie stated that he received a call from Barbara Nugent approximately five minutes after the 1,000,000th customer walked through the gate at the Water Mine. The winner Peyton Jacobs, still has not spoken as far as we know. She hid behind her mom, went into the water, and did not come near staff and the media. Mr. Bouie conveyed the sentiments of the Board as to the significance of her achievement. Maybe when Peyton is eight or ten years old, she will come back and talk to us about the event.

Mr. Bouie extended Supervisor Hudgins' appreciation to the Board for the renaming of Fox Mill District Park to the Fred Crabtree Park. Supervisor Hudgins had recalled one of her first meetings with Fred Crabtree when she was working for former Chairman of the Board of Supervisors, Kate Hanley. Fred had closed a deal for them that would not have occurred without his help. Supervisor Hudgins stated that she will absolutely attend the ceremonies honoring Fred Crabtree whenever it is scheduled.

Mr. Bouie congratulated the McLean Little League Softball for dominating Little League Softball. The McLean Little League Softball won the state title, again. Mr. Bouie also congratulated the Falls Church Little League for winning District 4.

Mr. Bouie was notified by Irish Grandfield that the 2232 for Lawyers Road Park is about to be filed. Unfortunately, there is not any funding for the park.

Last, but not least, the Park Authority's Cultural Resources group has done a marvelous job putting things together, but Mr. Bouie found a particularly interesting item in Supervisors Hudgins' office. It is a brochure on African American businesses called Landowners, Churches, Schools and Businesses, from 1860 to 1900. The brochure shows the things that occurred throughout the County during that 40-year period. This may be of value to the Park Authority.

CLOSED SESSION

At 8:45 p.m. Mr. Vajda **MOVED** the Park Authority Board convene in closed session for

- a. Discussion of the acquisition or disposition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of this public body in **the Sully Magisterial District** pursuant to Virginia Code 2.2 – 3711(A)(3)
- b. Discussion of Closed Session Minutes dated **July 12, 2006** pursuant to Virginia Code 2.2.3712(H).

The MOTION was **SECONDED** by Mr. McCutcheon and **APPROVED** with Mr. Feng being absent.

- Update on Land Acquisition in the Sully District
- Closed Session Minutes dated July 12, 2006

Land Acquisition Matters and Closed Session Minutes were discussed.

NOTE: Legal and Personnel Matters were cancelled at the start of this meeting

DRAFT MINUTES

At 8:53 p.m. Mr. Vajda **MOVED** the Park Authority Board return to the Open Session; **SECONDED** by Ms. Malone and **APPROVED** with Mr. Feng being absent.

CERTIFICATION OF CLOSED SESSION

Mr. Vajda **MOVED** the Park Authority Board certify that, to the best of our knowledge, only public business matters lawfully exempted from open meeting requirements under Virginia Code 2.2-3712 and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the Board; **SECONDED** by Mr. Batten and **APPROVED** with Mr. Feng being absent.

ACTIONS FROM CLOSED SESSION

NOTE: For consistency in reporting and future research, the Administrative Assistant keeps all items in numerical order as discussed during Closed Session.

- C-1. Update on Land Acquisition in the Sully District
Mr. Vajda **MOVED** the Park Authority Board approve and sign the land acquisition resolution for the property in the Sully District as discussed in Closed Session; **SECONDED** by Mr. McCutcheon and **APPROVED** with Mr. Feng being absent..
- C-2 Closed Session Minutes Dated July 12, 2006
Mr. Vajda **MOVED** the Park Authority Board accept the Closed Session Minutes dated July 12, 2006 as discussed in Closed Session; **SECONDED** by Mr. McCutcheon and **APPROVED** with Mr. Feng being absent.

ADJOURNMENT

At 8:55 p.m. Mr. Vajda **MOVED** that the Park Authority Board meeting be adjourned; **SECONDED** by Mr. McCutcheon and **APPROVED** with Mr. Feng being absent.

Frank S. Vajda
Secretary-Treasurer

Minutes Approved at Meeting
on

Michael A. Kane, Director

Park Authority Board Minutes prepared by

Nancy L. Brumit, Administrative Assistant

DRAFT MINUTES

Board Agenda Item
September 13, 2006

ACTION - 1

Appointment to the Fairfax County Park Foundation, Inc.

ISSUE:

Appointment of Matthew J. Tauscher to the Board of Directors of the Fairfax County Park Foundation for a three year term.

RECOMMENDATION:

The Park Authority Director recommends Park Authority Board concurrence for the appointment of Matthew J. Tauscher to the Board of Directors of the Fairfax County Park Foundation for a three year term.

TIMING:

Board action is requested on September 13, 2006.

BACKGROUND:

In accordance with the Bylaws of the Fairfax County Park Foundation, Inc. the Foundation Board may make nominations of individuals to become members of the Foundation's Board of Directors, and the Park Authority Board makes the appointment itself. The Bylaws specify that the number of Foundation Board members be no less than three and no more than 35. Currently there are 13 members.

The Foundation Board has nominated Matthew J. Tauscher, Director, Land Planning/Landscape Architecture, Bowman Consulting. Mr. Tauscher has indicated his willingness to make a commitment to the Foundation. Since his appointment is within the maximum number allowed on the Board of Directors of the Foundation, his appointment would be for a three-year term.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1: Biography -- Matthew J. Tauscher. C.L.A., R.L.A., Director, Land Planning/Landscape Architecture

Board Agenda Item
September 13, 2006

STAFF:

Michael A. Kane, Director

Robert Brennan, Executive Director, Park Foundation

MATTHEW J. TAUSCHER, C.L.A., R.L.A.
DIRECTOR, LAND PLANNING/LANDSCAPE ARCHITECTURE

With over 20 years experience in the land planning/landscape architecture field, Mr. Tauscher's responsibilities include direct management of all project phases including inception, design, design implementation and construction. His design and project management experience encompasses several successful land development projects including recreational, residential, commercial, institutional, and feasibility studies throughout the Washington metropolitan region. Many of these projects included preparation of land use zoning, special exception and variance applications.

REPRESENTATIVE PROJECTS

Ossian Hall Community Park, Annandale, VA (Fairfax County Park Authority): Project Manager for 21-acre community park expansion which includes baseball and soccer fields, pavilions/playgrounds, hiking trails and public plazas. Duties include preparation of full site design documents.

Providence Park, City of Fairfax, Va. (Fairfax Dept of Parks and Recreation): Project Landscape Architect for park improvement and expansion. Duties included site and layout design of proposed athletic fields and trail system for park expansion.

George Mason University, West Campus Athletic Fields, Fairfax, Va.: Project Landscape Architect for 40-acre athletic campus including complete site layout and grading plans, NCAA regulation softball and soccer/rugby fields. Duties included irrigation and subsurface drainage design, and comprehensive site detail design, as well as, complete construction specification documents.

Middletown Community Park, Middletown, MD (Frederick Co. Dept. of Parks and Recreation): Project Manager for 76-acre municipal park which included baseball, softball, soccer and football fields, numerous pavilions, hiking trails and parking areas. Duties included site design and grading plans, landscape plan, sediment and erosion control plan, and complete specifications and cost estimate.

PROFESSIONAL EDUCATION

Bachelor of Landscape Architecture, Michigan State University
 School of Urban Planning and Landscape Architecture, December 1986

PROFESSIONAL REGISTRATION

Certified Landscape Architect, Virginia
 Registered Landscape Architect, Maryland

PROFESSIONAL AFFILIATIONS

American Society of Landscape Architects

Board Agenda Item
September 13, 2006

ACTION - 2

FY 2007 Deer Management Program

RECOMMENDATION:

The Park Authority Director recommends approval of the FY 2007 Deer Management Program proposed by the County Wildlife Biologist as presented to and reviewed by the Resource Management Committee on July 26, 2006.

ACTION – 3

Scope Approval – Renovation of Access Road and Parking Lot at Mason District Park

RECOMMENDATION:

The Park Authority Director recommends approval of the project scope to renovate the access road and parking lot at Mason District Park as presented to and reviewed by the Planning and Development Committee on September 13, 2006.

Board Agenda Item
September 13, 2006

INFORMATION - 1

Quarterly Grants Update

The Park Authority has received notice of award for three grants.

The Grants Coordinator has made presentations to Park Authority staff to describe available grant opportunities, and will continue work with staff to apply for grants.

ENCLOSED DOCUMENTS:

Attachment 1: Quarterly Grants Report, April – June 2006 and July – September 2006
(as of 8/25/06)

STAFF:

Michael A. Kane, Director
Timothy K. White, Chief Operating Officer
Bob Brennan, Executive Director, Park Foundation
Nancy Russo, Grants Coordinator

Fairfax County Park Authority
Quarterly Grants Report
April - June 2006 and July - September 2006 (as of 8/25/06)

I. Grant Awards Received

<i>Award Date</i>	<i>Funding Organization/ Grant Program</i>	<i>Division/Project</i>	<i>Amount</i>
6/15/06	Virginia Department of Transportation / Transportation Enhancement Program	P&D / Cross County Trail – Accotink Stream Valley	\$435,000
8/2/06	Virginia Foundation for the Humanities / Discretionary Grant	RMD / Sully Historic Site Slave Life Brochure	\$2,000
8/24/06	National Fish & Wildlife Foundation / Chesapeake Bay Small Watershed Grants Program	RMD / Invasive Management Area	\$50,000

II. Grant Applications Submitted – Still Outstanding

<i>Submit Date</i>	<i>Funding Organization/ Grant Program</i>	<i>Division/Project</i>	<i>Amount</i>

III. Proposals Denied

<i>Submit Date</i>	<i>Funding Organization/ Grant Program</i>	<i>Division/Project</i>	<i>Amount</i>

Board Agenda Item
September 13, 2006

INFORMATION - 2

Natural Resource Management Plan (NRMP) Update and Implementation Plan

Presented to and reviewed by the Resource Management Committee on July 26, 2006.

INFORMATION - 3

Cultural Resource Management Plan - First Year Implementation Plan

Presented to and reviewed by the Resource Management Committee on July 26, 2006.

INFORMATION – 4

Notice of Contract Awards during August 31, 2006

Presented to and reviewed by the Planning and Development Committee on
September 13, 2006.

INFORMATION - 5

Ossian Hall Park Project Status Update (Braddock District)

Presented to and reviewed by the Planning and Development Committee on
September 13, 2006.

INFORMATION - 6

Oakton Schoolhouse Agreements (Providence District)

A Memorandum of Agreement (MOA) has been submitted to the Advisory Council on Historic Preservation regarding the Chevy Chase Branch Office in Oakton. Parties to this Agreement include the Office of Thrift Supervision, Virginia Department of Historic Resources, Chevy Chase Bank (CCB), Fairfax County Park Authority and the Friends of Oakton Schoolhouse, Inc.

The MOA stipulates the actions CCB will take to satisfy requirements of Section 106 of the National Historic Preservation Act. These include the contributions to the Park Authority for perpetual maintenance of the schoolhouse; conduct of an archeological survey of the relocation site at Oakton Community Park; and mitigation measures for the three existing buildings at the former Appalachian Outfitters site, and the Historic District.

Completion of this MOA clears the way for the supplemental Agreement among the Park Authority, Park Foundation and CCB. A previous draft of that Agreement was reviewed by the Park Authority Board's Planning and Development Committee. The only significant change involves the responsibility for demolition of the existing house and barn at Oakton Community Park. Agreement has been reached to contract that work through the Park Authority, with full funding for the work provided by CCB. This change was necessary to prevent further delays in the progress of the work.

ENCLOSED DOCUMENTS:

Attachment 1: Memorandum of Agreement Submitted to the Advisory Council on Historic Preservation

Attachment 2: Agreement - Fairfax County Park Authority, Fairfax County Park Foundation, Inc., and Chevy Chase Bank, F.S.B. regarding the Oakton School House and Oakton Community Park

STAFF:

Michael A. Kane, Director

Timothy K. White, Chief Operating Officer

Lynn S. Tadlock, Director, Planning and Development Division

Kirk Holley, Manager, Special Projects Branch

Angie Allen, Special Projects Branch

Bob Betsold, Special Projects Branch

MEMORANDUM OF AGREEMENT

SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

PURSUANT TO 36 C.F.R. § 800.6(b)(1)(iv)

REGARDING THE CHEVY CHASE BANK, F.S.B. BRANCH OFFICE,

OAKTON, FAIRFAX COUNTY, VIRGINIA

The Office of Thrift Supervision (OTS) has received and is reviewing an application from Chevy Chase Bank, F.S.B. McLean, Virginia (Savings Bank) to establish a branch office at 2938 Chain Bridge Road, Oakton, Fairfax County, Virginia (Application). The Savings Bank's proposed undertaking consists of the acquisition of an approximately one acre parcel, the removal or demolition of three potentially eligible historic structures (Oakton Schoolhouse, Payne's Oakton Store and unnamed residence/store), Attachment A, and the construction of a new branch office (Branch Office), Attachment B. As part of its review of the Savings Bank's Application, OTS must consider the provisions of 36 C.F.R. Part 800.

Pursuant to 36 C.F.R. Part 800, which implements Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), OTS has consulted with the Virginia Department of Historic Resources, which is the Virginia State Historic Preservation Office (SHPO).

OTS, in coordination with the Savings Bank, in consultation with the SHPO, and in reliance thereon, has determined that the Branch Office's area of potential effects (APE), as the term is defined in 36 C.F.R. § 800.16(d), is a 0.8 acre site in Oakton at the junction of Hunter Mill Road and Chain Bridge Road formerly owned by Daniel and Stephani Couch;

OTS, in coordination with the SHPO and with assistance from the Savings Bank, has determined that the undertaking may have adverse effects on the Hunter Mill Road Historic District (029-5180) and/or the Oakton Historic District (029-5508), the Oakton Schoolhouse (029-0068), Payne's Oakton Store (029-5476) and an unnamed residence/store (029-5477) as described in the report entitled *Evaluation of the Significance of Three Proposed Extant Buildings and a Phase I Archaeological Survey of the Proposed Chevy Chase Branch Site, Oakton, Fairfax County, Virginia* prepared by John Milner Associates, Inc. and dated May 2005, and which OTS and the SHPO have agreed potentially meet the criteria for inclusion in the National Register of Historic Places;

OTS has consulted with the Savings Bank, regarding the effects of the proposed undertaking on the Historic District and has invited the Savings Bank to sign this Memorandum of Agreement (MOA) as an invited signatory pursuant to 36 C.F.R. § 800.6(c)(2);

The Fairfax County Park Authority (FCPA), as a local government agency, and the Friends of the Oakton Schoolhouse, Inc. (FOSI) have participated in this consultation regarding the effects of the proposed undertaking on the Historic District and have agreed to sign this MOA pursuant to 36 C.F.R. § 800.6(c)(2);

OTS has notified the Advisory Council on Historic Preservation (Council) of its adverse effect determination with specified documentation and the Council has chosen not to participate in the consultation pursuant to 36 C.F.R. § 800.6(a)(1)(iii); and

If OTS approves the Application, OTS, the Savings Bank, and the SHPO agree that the undertaking shall be implemented in accordance with Sections I through X below in order to take into account the effects of OTS' approval of the Application on the Historic District.

I. The Savings Bank will relocate the original portion of the Oakton Schoolhouse, the floor plan of which is shown on Attachment C, to the Oakton Community Park, Oakton, Virginia, in accordance with an agreement between the Savings Bank and FCPA. The agreement will stipulate the level of quality for rehabilitation of the Oakton Schoolhouse. The Savings Bank will make a contribution of \$100,000 for the perpetual maintenance of the Oakton Schoolhouse to FCPA, and FOSI intends to maintain the Schoolhouse in cooperation with FCPA. The contribution will be made when the Oakton Schoolhouse is moved to the Oakton Community Park. The Savings Bank will conduct an archeological survey of the site of the future relocation of the Oakton Schoolhouse at the Oakton Community Park, as specified in Section III below.

II. The Savings Bank will provide the following mitigation measures for the existing three buildings and the Historic District (collectively, Resources) as follows:

A. The Savings Bank will provide a historic marker on the Branch Office site to be set beneath the proposed Oak Tree as shown on Attachment B in order to commemorate the role of this site in Oakton history. The text and content of the historic marker will be provided to the SHPO for review and comment prior to installation.

B. The Savings Bank will display a photographic exhibit depicting the Resources in the foyer of the Branch Office. The Savings Bank will work with the Oakton, Virginia community to determine which photographs will be appropriate. The content of the photographic exhibit will be submitted to the SHPO for review and comment prior to installation. The photographic exhibit will remain in place for as long as the Savings Bank operates at this site.

C. The Savings Bank will complete documentation of the Resources by providing data forms for the Oakton Schoolhouse and the Payne's Oakton Store and will submit a copy of all completed documentation of the Resources, including the data forms for the Oakton Schoolhouse and Payne's Oakton Store, to the Virginia Room of the Fairfax County Library, Fairfax, Virginia. The Savings Bank will prepare a .pdf document for submission to the Fairfax County History Commission, Fairfax, Virginia. The .pdf document will include selected historical maps and photographs, and an historical narrative of the development of the district such as the construction of the Oakton Schoolhouse and addition, and its reuse as a residential and commercial building, the construction and history of the Payne's Oakton store, the role of the Residence Building in the Historic District's commercial history, and the final commercial use as Appalachian Outfitters.

III. Archeological Survey

A. Once the site of the future relocation of the Oakton Schoolhouse has been identified, the FCPA shall determine, in consultation with the SHPO and the Savings Bank, whether archaeological survey of the site, including any equipment staging areas and access roads, is warranted. If the FCPA finds that further efforts are needed to identify archeological sites, the Savings Bank will develop or cause to be developed an archeological testing program, in consultation with the FCPA and the SHPO. Prior to affecting any potentially eligible archeological site, the Savings Bank will develop or cause to be developed a testing program of sufficient intensity to provide an evaluation of eligibility for the National Register of Historic Places, in consultation with the SHPO, following the regulations outlined in 36 C.F.R. § 800.4(c).

B. If as a result of the testing program, archeological sites are identified that are eligible for the National Register of Historic Places, the Savings Bank shall develop a plan for their avoidance, protection, recovery of information or destruction without data recovery, in consultation with the

FCPA and the SHPO. All data recovery plans prepared under the terms of this agreement shall include the following elements:

1. Information on the archeological property or properties where data recovery is to be carried out, and the context in which such properties are eligible for the National Register;
2. Information on any property, properties, or portions of properties that will be destroyed without data recovery;
3. Discussion of the research questions to be addressed through the data recovery with an explanation/ justification of their relevance and importance;
4. Description of the recovery methods to be used, with an explanation of their pertinence to the research questions;
5. Information on arrangements for any regular progress reports or meetings to keep the FCPA and the SHPO up to date on the course of the work. The plan should contain the expected timetable for excavation, analysis and preparation of the final report;
6. Proposed methods for disseminating results for the work to the interested public (e.g. slide packet for use in the local schools, an exhibit in the Fairfax County Libraries during Virginia Archaeology Month, etc.); and
7. The Savings Bank agrees to assume responsibility for the costs of all archaeological work pursuant to this MOA.

IV. Review of Archeological Survey Documentation

A. The Savings Bank shall submit two copies of the draft of all technical reports on acid free paper bound in a spiral binding to the FCPA and the SHPO for review and comment. All comments received within thirty (30) days of report receipt shall be addressed in the final technical reports. Two copies of all final technical reports shall be provided to the SHPO and one copy to the OTS, FCPA and FOSI.

B. Unless otherwise specified in this agreement, all parties to the MOA shall have thirty (30) calendar days after receipt of any document, other than the final technical reports referenced in Section IV. A., distributed by the Savings Bank for review and comment. Failure to comment within this time period shall be construed as agreement with the document's findings, conclusions, and/or recommendations.

C. Curation of all archeological materials and appropriate field and research notes, maps, drawings and photographic records collected as part of this agreement (with the exception of human skeletal remains and associated funerary objects) will be cared for in accordance with the requirements of 36 C.F.R. Part 79, *Curation of Federally Owned and Administered Archeological Collections* and the *National Park Service Museum Handbook*.

D. Professional Qualifications

1. All archeological work will be conducted by or under the direct supervision of a qualified archeologist who meets, at a minimum, the qualifications set forth in the Secretary of the

Interior's *Professional Qualifications Standards* (48 FR 44738-9).

2. Work concerning historic structures and districts will be carried out by or under the supervision of a qualified architectural historian or historians who meets, at a minimum the qualifications set forth in the Secretary of the Interior's *Professional Qualifications Standards* (48 FR 44738-9).

E. Reporting Standard

All archeological studies, resulting from this MOA, including data recovery plan(s), shall be consistent with the Secretary of the Interior's *Standards and Guidelines for Archeological Documentation* (48 FR 4434-37), and the SHPO's *Guidelines for Conducting Cultural Resource Survey in Virginia: Additional Guidance for the Implementation of the Federal Standards Entitled Archaeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines* (48 FR 44742, September 29, 1983) 1999, rev. 2003, and shall take into account the Council's publications, *Consulting About Archeology Under Section 106* (1990) and *Recommended Approach for Consultation on Recovery of Significant Information from Archeological Sites* (1999).

V. Unanticipated Discoveries

In the event that a previously unidentified archeological resource is discovered during ground disturbing activities, the Savings Bank shall immediately notify the SHPO. All construction work involving subsurface disturbance will be halted in the area of the resource and in the surrounding area where further subsurface remains can reasonably be expected to occur. The Savings Bank shall ensure that an archeologist meeting the Secretary of Interior's *Professional Qualifications Standards* immediately will inspect the work site and determine the area and the nature of the affected archeological property. Construction work may then continue in the project area outside the site area. Within two working days of the original notification of discovery, the SHPO, in consultation with the Savings Bank and OTS, will determine the National Register eligibility of the resource.

If the resource is determined to meet National Register Criteria (36 C.F.R. Part 60.6), the OTS will ensure compliance with 36 C.F.R. § 800.13. Work in the affected area shall not proceed until either: (a) the development or implementation of appropriate data recovery or other recommended mitigation procedures, or (b) the determination is made that the located remains are not eligible for inclusion on the National Register.

VI. Human Remains

A. Human remains and associated funerary objects encountered during the course of actions taken as a result of the MOA shall be treated in the manner consistent with the provisions of the Virginia Antiquities Act, Section 10.1-2305 of the Code of Virginia, and with the final regulations adopted by the Virginia Board of Historic Resources and published in the Virginia Register of July 15, 1991.

B. In the event that the human remains encountered are likely to be of Native American origin, whether prehistoric or historic, the Savings Bank, in consultation with the SHPO, will immediately notify the Virginia Council on Indians (VCI). The treatment of Native American human remains and associated funerary objects will be determined in consultation with the VCI. All reasonable efforts will be made to avoid disturbing Native American gravesites and associated artifacts. To the extent possible, the SHPO will ensure that the general public is excluded from viewing any Native American gravesites and associated artifacts. No photographs of any Native American gravesites

and/or associated funerary objects will be released to the press or to the general public.

C. The Savings Bank may obtain a permit from the SHPO for the removal of human remains in accordance with the regulations stated above. In reviewing a permit involving removal of Native American human remains, the SHPO will notify and consult with the VCI as required by the regulations stated above.

VII. Dispute Resolution

Should any signatory to this agreement object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, OTS shall consult with the objecting party(ies) to resolve the objection. If OTS determines, within thirty (30) days, that such objection(s) cannot be resolved, OTS will:

A. Forward all documentation relevant to the dispute to the Council in accordance with 36 C.F.R. § 800.2(b)(2). Upon receipt of adequate documentation, the Council shall review and advise OTS on the resolution of the objection within thirty (30) days. Any comment provided by the Council, and all comments from the parties to the MOA, will be taken into account by OTS in reaching a final decision regarding the dispute.

B. If the Council does not provide comments regarding the dispute within thirty (30) days after receipt of adequate documentation, OTS may render a decision regarding the dispute. In reaching its decision, OTS will take into account all comments regarding the dispute from the parties to the MOA.

C. The signatories' responsibilities to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged. OTS will notify all parties of its decision in writing before implementing that portion of the undertaking subject to dispute under this section. OTS' decision will be final.

VIII. Amendment

If any signatory to this MOA determines that its terms will not or cannot be carried out or that an amendment to its terms must be made, that party shall immediately consult with the other parties to develop an amendment to this MOA pursuant to 36 C.F.R. §§ 800.6(c)(7) and 800.6(c)(8). The amendment will be effective on the date a copy signed by all of the original signatories is filed with the Council. If the signatories cannot agree to appropriate terms to amend the MOA, any signatory may terminate the agreement in accordance with Section IX, below.

IX. Termination

If an MOA is not amended following the consultation set out in Section VIII, it may be terminated by any signatory. Within thirty (30) days following termination, the OTS shall notify the signatories if it will initiate consultation to execute an MOA with the signatories under 36 C.F.R. § 800.6(c)(1) or request the comments of the Council under 36 C.F.R. § 800.7(a) and proceed accordingly.

X. Duration

The MOA will be null and void if its terms are not carried out within five (5) years from the date of its execution. Prior to such date, OTS may consult with the other signatories to consider an extension or modification of the MOA and amend it in accordance with Section VIII, above. No extension or

modification will be effective unless all parties to the Agreement have agreed with it in writing.

Execution of this MOA by OTS, the Savings Bank, the SHPO, FCPA and FOSI, the submission of documentation and filing of this MOA with the Council pursuant to 36 C.F.R. § 800.6(b)(1)(iv) prior to OTS approval of this undertaking, and implementation of its terms evidence that OTS has taken into account the effects of this undertaking on historic properties and afforded the Council an opportunity to comment.

SIGNATORIES:

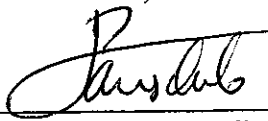
Office of Thrift Supervision

By: _____ Date: _____
John E. Bowman, Chief Counsel

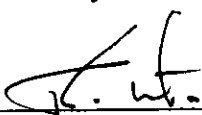
Virginia Department of Historic Resources

By: _____ Date: _____
Kathleen S. Kilpatrick, Director and State Historic Preservation Officer


Chevy Chase Bank, F.S.B.

By:  Date: 8/16/06
J. Page Lansdale, Senior Vice President

Fairfax County Park Authority

By:  Date: 8/24/06
for Michael A. Kane, Director

Friends of Oakton Schoolhouse, Inc.

By:  Date: 8/11/06
Robert W. Adams

ATTACHMENT A

0 40ft 0 10m

Hunter Mill Road (Route 674)

Daniel R. Couch, Et. Al.

Store

Schoolhouse

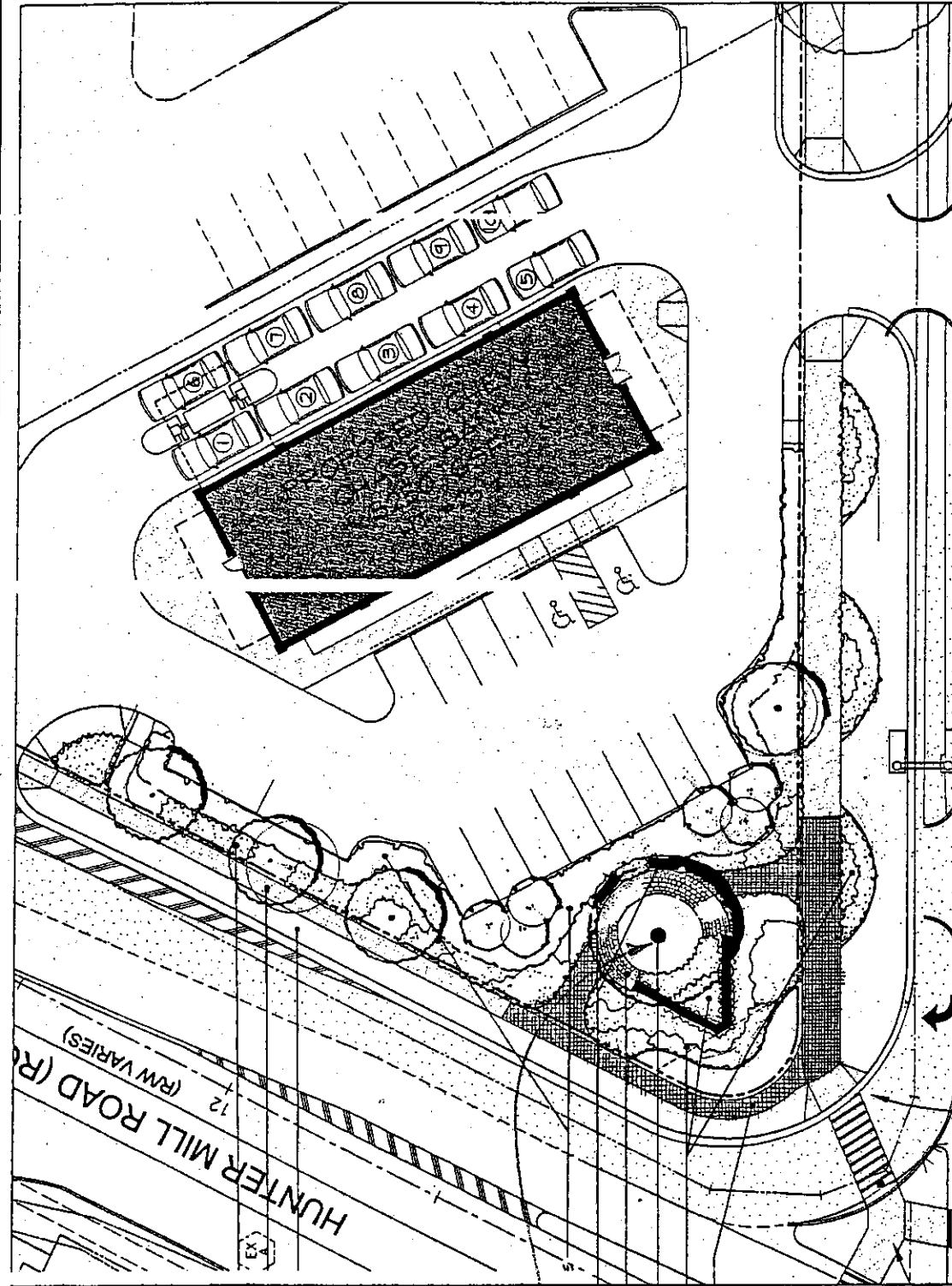
Residence

Chain Bridge Road (Route 123)

Area of Potential Effect

Figure 2. Area of Potential Effect (PRH&A 2005).

ATTACHMENT B

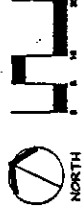


HUNTER MILL ROAD (R/W VARIES)

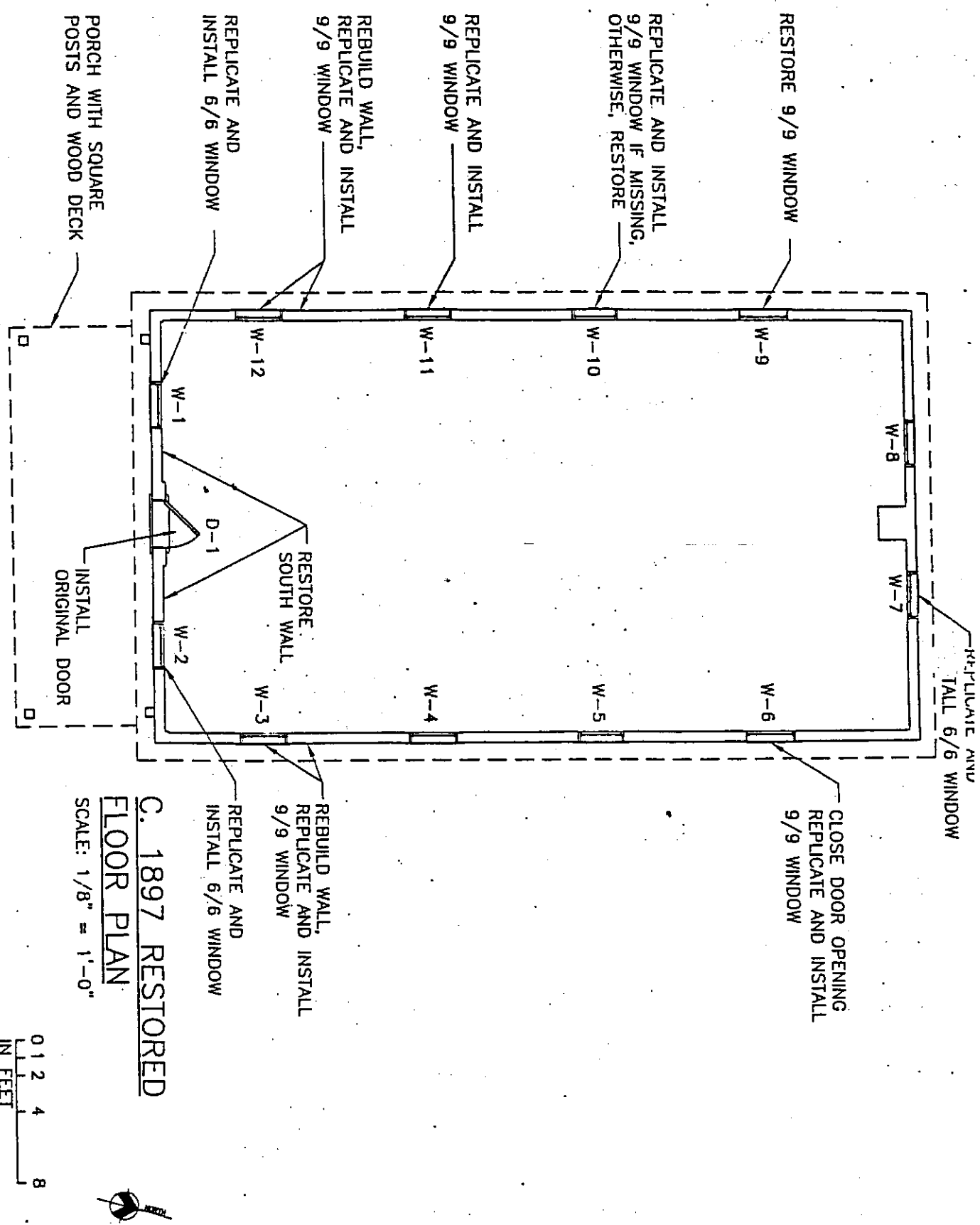
PERENNIAL BEDS
S' COLE S/M
GRASS UTILITY STRIP

Historic Marker

LOW EVERGREENS
SHRUBS
STONE TREES BING
OAK
PERENNIAL BEDS
PAVERES



CHEVY CHASE BANK OAKTON BRANCH PROVIDENCE DISTRICT FAIRFAX COUNTY, VIRGINIA		PHRA Patten Hazzell Reed & Associates, PC Engineers, Surveyors, Planners, Landscape Architects 1432 Lee Road Fairfax, VA 22031-1979 F 703-448-8300 F 703-448-8719		SHEET OF 5 DATE JANUARY 2005 SCALE 1"=10' PROJECT 13015-1-0
--	--	--	--	--



C. 1897 RESTORED
FLOOR PLAN
 SCALE: 1/8" = 1'-0"



OAKTON SCHOOLHOUSE
 2938 CHAIN BRIDGE ROAD
 OAKTON, VIRGINIA 22124

PROJECT #	04104
DATE	12/22/04
FIGURE	D1

SWSG
 5925
 8124
 1000
 A PROFESSIONAL CORPORATION
 Engineering • Architecture • Construction • Surveying

Agreement

Fairfax County Park Authority, Fairfax County Park Foundation, and Chevy Chase Bank, F.S.B.

Regarding the Oakton School House and Oakton Community Park

This agreement is made this _____ day of _____, 2006 by and between Chevy Chase Bank, a Federal Savings Bank, ("CCB"), the Fairfax County Park Authority, ("FCPA"), and the Fairfax County Park Foundation (FCPF).

Recitals

- A. CCB has entered into a contract to purchase certain real property located in the Oakton area of Fairfax County, Virginia as shown on Tax Map No. 47-2 ((1)) parcel 93. The property, generally known as the Appalachian Outfitters site ("AO Property") has improvements on it known as the Oakton Schoolhouse ("Schoolhouse"). The Schoolhouse is approximately 1000 square feet in size and is one of several other structures on the AO Property. CCB has obtained a Special Exception, SE-2004-PR-026, from the Fairfax County Board of Supervisors to make improvements to the AO Property.
- B. CCB, as a federal institution, is subject to the requirements of Section 106 of the National Historic Preservation Act ("Section 106"), and the development conditions for the Special Exception require CCB to successfully complete a full review under Section 106 prior to the approval of any permit for demolition or land disturbing activity on the AO Property. CCB has prepared a mitigation plan as part of the Section 106 process which includes relocation of the Schoolhouse to the Oakton Community Park ("Park"). It also includes construction of a permanent foundation and renovation of the Schoolhouse at the Park.
- C. This Agreement details and defines the terms, conditions, work and expectations of the parties. It is understood that should any activities described herein conflict with the requirements of Section 106, that the requirements of Section 106 shall take precedence.
- D. It is understood by all parties that performance of this Agreement is subject to the terms and conditions of the Section 106 process and that the relocation of the Schoolhouse and its renovation at the Park, shall not be performed if CCB does not successfully complete a full review under Section 106.

- E. It is the intention of the parties that the proposed mitigation plan shall be completed at no cost to the FCPA or FCPF.
- F. The Fairfax County Park Foundation was incorporated as a tax exempt 501(c)(3) tax exempt charitable organization in December 2000. The Foundation serves as the philanthropic arm of the Fairfax County Park Authority and is governed by a Board of thirteen dedicated members of the community. The Foundation has completed several fund raising campaigns including a fund raising campaign to build CLEMYJONTRI Park (a playground for children with disabilities in McLean, VA) and manages Fairfax County's Open Space Land Preservation Fund. The Foundation provides simple, powerful, and highly personal services to citizen groups that would like to partner with the Foundation to request tax-deductible contributions that will support Fairfax County Park Authority parks and/or programs.

Now, therefore for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Site Plan Submission** - CCB shall prepare, submit and obtain permit approval for site design and engineering ("Site Plan") for the Park in accordance with the approved Park Conceptual Development Plan ("CDP") (Exhibit 'A'). It is the intention of all parties that this will be done in two distinct parts. Part One shall include all improvements associated with the Schoolhouse relocation and permanent renovation at the Park. A sketch of the Part One plan is attached as Exhibit B to this Agreement. The Part One plan shall include the entirety of all improvements to be paid for by CCB. Part Two shall include all other improvements proposed at the Park as shown on the CDP. These improvements shall be provided and/or paid for by others in the future and not CCB. Parts One and Two of the Site Plan shall be submitted for permit approval to the Fairfax County Department of Public Works and Environmental Services ("DPWES") for concurrent review within 30 days of each other. The Site Plan applicant shall be the FCPA but the Site Plan shall be prepared by a competent Professional Engineer paid for by CCB under general guidance of FCPA. CCB shall instruct their design engineer to coordinate with FCPA staff and obtain FCPA approval of the design at 50% design development and prior to DPWES permit submission. The design shall utilize best engineering practices and be cost effective in accordance with Fairfax County and FCPA standards. The Plan shall establish a Limits of Work that will define the extent of responsibility for CCB who shall be considered the contractor (Contractor) within the Limits of Work. CCB shall diligently pursue satisfaction and completion of the permitting process within a reasonable time.

2. **Building Plan Submission** - CCB shall prepare, submit and obtain permit approval for building design and engineering ("Building Plan") for the Schoolhouse and related Part One work, including demolition of existing Park structures, in the locations indicated on approved Park CDP. The Building Plan shall be submitted to DPWES no earlier than the Part One Site Plan is submitted to DPWES. The Building Plan applicant shall be CCB. The Building Plan shall be prepared by a Professional Engineer and/or a Licensed Architect with appropriate expertise for the renovation of historic structures. CCB is responsible for any permits, approvals and fees associated with this process.

3. **Notice** - CCB shall, in coordination with FCPA, provide “Pardon our Dust” notification letters to the surrounding community and associated stakeholders. Notice shall be delivered no less than 30 days prior to the relocation of the Schoolhouse to the Park and a second notice shall be provided no less than 30 days prior to demolition activities and related site work.

CCB shall, in coordination with FCPA, post a sign on the Park, in conformance with the FCPA standard detail, identifying the construction, a CCB or designate contact, and other relevant information. The sign shall be posted at time of Pardon Our Dust mailing.

4. **Demolition at Park** – As part of the work under the Part One plan, FCPA shall demolish the entire existing single family residential building, the adjacent shed/barn structure, and associated attached improvements (e.g. utilities) including the foundations for an area 20’ outside of the building footprints. Demolition includes appropriate termination of any utilities. All demolition materials shall be lawfully removed off site and properly disposed. Demolition shall be accomplished under appropriate permits. The age of the buildings may imply the presence of asbestos and/or lead paint and/or other hazards that FCPA may not be aware of at this time, which are all the responsibility of FCPA. Demolition activities shall be in conformance with all applicable statutes, ordinances and County noise and construction requirements and shall minimize dust and other forms of disturbance in particular to the adjacent neighbor. If demolition and materials removal take more than one day, during demolition the perimeter of the work area shall be fenced with orange safety fence and posted “warning, no trespassing” signs or its equal.

FCPA shall, if required by the Health Department as part of the Plan approval, appropriately terminate the water line, cap the water well, and take necessary measures to abandon the septic system serving the house.

An amount of funds equal to the total estimated cost to be incurred by the FCPA, for the demolition and all related work cited above, will be provided by CCB to the FCPA. Any additional funds required at completion of the work will be promptly provided to the FCPA by CCB. Invoices will be provided by FCPA to support the expenditures incurred.

5. **Temporary Placement of the Schoolhouse at the Park** - In accordance with the 106 process, CCB may temporarily place the Schoolhouse at the Park in advance of the permanent foundation for, and renovation of, the Schoolhouse at the Park. Prior to delivery of the Schoolhouse to the site, CCB shall provide the following:

- Show FCPA evidence of having the necessary permits for temporary placement on site;
- Show FCPA evidence of having filed the Site Plan and Building Plan with DPWES;
- Place \$100,000 in escrow with The Talon Group, 401 East Pratt Street, Suite 800, Baltimore, Maryland 21202 to assure performance of CCB’s proposed donation of \$100,000 to the FCPF as provided in paragraph 12 of this Agreement

6. ***Permanent Relocation of the Schoolhouse to the Park*** - CCB shall relocate the Schoolhouse structure to the Park and place it on a permanent foundation in accordance with the associated approved Plan at no cost to the FCPA.

7. ***Renovation of the Schoolhouse***. As part of the work under the Part One plan, CCB shall preserve the Schoolhouse by restoring it to its period of significance as identified and described in the Section 106 application and process. It is generally understood that the finished product will restore the exterior entirely while the interior will be made structurally sound. Interior renovation does not include improvements to make the Schoolhouse publicly accessible. Interior renovation will not preclude future work that could make the interior publicly accessible. Renovation in accordance with the Section 106 shall comply with the Secretary of the Interior's Standards and Guidelines utilizing every reasonable care and expense to approximate the old construction in materials, methods and quality, provided, however, that the terms and conditions of any approval received pursuant to Section 106 shall control in the event of any conflict or inconsistency with such guidelines and standards. The FCPA will monitor the restoration work and certify when compliance with the standards is achieved.

Specific building improvements to be provided by CCB that may be in addition to those required under the Section 106 process include:

- Telephone service with terminal block to provide for interior building security;
- Residential public water service with water valve and 2 hose bibs for exterior landscape maintenance;
- Positive, active permanently installed interior mechanical ventilation;
- 200 A residential electric service;
- Interior lighting and electric sufficient for basic maintenance operations.

8. ***Site Improvements*** – As part of the work under the Part One plan, CCB shall design and provide, at no cost to FCPA, the following site improvements illustrated on the Part One Site Plan:

- Gravel entrance drive (subject to successfully obtaining dustless surface waiver)
- Turnaround area near Schoolhouse;
- Parking area for 5 automobiles;
- Storm water management facilities for quantity control for Site Plan improvements (subject to storm water waiver for quality);
- Other improvements including but not limited to grading, stabilization, utility relocation related to the work as required by the approved Site Plan and Building Plan.

Notwithstanding anything else in this Agreement, it is understood and agreed that the site improvements to be provided by CCB shall not include road widening or road frontage improvements to Hunter Mill Road, street lights, sidewalks, trails, or storm water management improvements (detention and BMP), and the Part One Plan shall be based upon a waiver of such improvements.

9. ***Letter of Credit*** – CCB shall provide FCPA a Letter of Credit (“LOC”) for the benefit of FCPA for the full value of all the work and related services to be provided by CCB to FCPA as set forth in this Agreement. The amount of the LOC shall be based on a credible estimate of the

value of this work with elements prepared by competent professionals for the type of work estimated. The total value shall include but not be limited to design, engineering, testing, inspection and construction management professional services, any required safety devices or materials, any fees or costs associated with permitting and approvals, dumping fees, any cost required for construction and project management, and all construction costs including temporary and permanent materials to execute the methods and means of construction. CCB shall provide a detailed estimate prepared by an engineer of these costs for FCPA approval to be used as basis for the LOC, and which estimate must be approved by FCPA. The LOC estimate should account for construction cost escalation of 8% annually with the total value based on the scheduled delivery date of the completed Schoolhouse.

The LOC shall be delivered to FCPA for review and approval at time of Site Plan and/or Building Plan approval, whichever comes later. The LOC shall expire upon substantial completion of the work covered by the Part One Plan established by satisfaction of the demolition, building and any utility permits and beneficial use by the FCPA.

10. *Contribution to the FCPF for Maintenance and Operation of Schoolhouse* – CCB shall donate \$100,000 to the FCPF as an endowment for the maintenance and operation of the Schoolhouse. The donation shall be made as a condition of substantial completion of the restoration and improvements required by this agreement. Any interest or proceeds from this endowment (the Fund) may be used for operating and routine maintenance costs not funded by Friends of the Oakton Schoolhouse, Inc. (“FOSI”) as contemplated in Section 11.

11. *Potential Contribution to the FCPF for Perpetual Maintenance and Operation of Schoolhouse* — Based on the business and operating plan presented to FCPA by FOSI, it is anticipated that the operating and routine maintenance costs for the Schoolhouse will be approximately \$9,000 annually (in 2005 dollars). FOSI anticipates successful solicitation of the funds necessary for this work through income from the Fund and donations from park user groups and other interested parties. Any interest income that exceeds the maintenance and operation expenses will be added to the Fund. However, if FOSI is unable to obtain adequate funding for these costs by the end of each fiscal year (June 30), CCB shall make an annual donation every August to the FCPF Fund established for this purpose, which shall be in addition to the donation described in paragraph 12. The amount of the donation shall be the difference between the total annual cost for the demonstrable operation and routine maintenance expenses incurred by FOSI for managing and maintaining the Schoolhouse and the funds expended for those costs from the annual available income in the Fund. (See Cooperative Agreement Between the Fairfax County Park Authority, The Fairfax County Park Foundation and the Friends of the Oakton Schoolhouse, Inc.) This commitment from CCB shall be in effect for 10 years from the date of substantial completion.

12. *Contribution to the FCPF for Future Park Improvements* – CCB shall donate \$100,000 to the FCPF as a gift with the single restriction that the funds be used for future improvements or related activities at Oakton Community Park. The donation shall be made when CCB receives approval from DPWES of the Part One Plan and CCB receives approval of all necessary permits for the construction of the improvements covered by the Part One Plan. At such time as such

approvals are received, the escrow agent holding the \$100,000 of escrow funds identified in paragraph 5 of this Agreement shall pay such escrow funds to the Park Foundation in full satisfaction of CCB's obligation to make the donation.

13. **Copies of All Documents** - CCB shall provide a copy of all approved Section 106 documents and support materials to the FCPA confirming that the improvements described by this agreement meet the intent of the approved mitigation. CCB shall also provide 3 copies of all Site Plan and Building Plan documents for all review phases and of final approved sets.

14. **CCB as Contractor** - From the time that the Schoolhouse is placed upon the Park until substantial completion and beneficial use are achieved, CCB shall be considered the Contractor for this work and shall own the rights and responsibilities for the improvements within the Limits of Work established on the Site Plan. Upon request, the FCPA will issue CCB a Right-of-Entry prior to the placement of the Schoolhouse. The right shall expire, and CCB's responsibility as Contractor shall be complete, upon substantial completion and beneficial use as noted above.

15. **Completion** - CCB shall substantially complete the Project, as defined in Articles 6, 7 and 8 above, within 365 days of receipt of permits for the work.

16. This Agreement constitutes and contains the entire agreement and understanding concerning the subject matter between the parties and supersedes and replaces all prior negotiations, proposed agreements or agreements, written or oral, except as provided for herein. The Recitals in this Agreement are intended to be a material part of the Agreement.

17. Whenever possible, each provision of this Agreement shall be interpreted in such a manner as to be effective and valid under applicable law, but if any such provisions of the Agreement of the application thereof to any party or circumstances shall be prohibited by or be invalid under applicable law, such provision shall be ineffective only to the minimal extent of such prohibition or invalidity without invalidating the remainder of such provision of the remaining provision of this Agreement.

18. Virginia law shall govern any dispute between the parties regarding this Agreement, and any litigation stemming from this Agreement shall be conducted in the Fairfax County Circuit Court.

In Witness whereof, the parties hereto have executed this Agreement effective as of the later of the dates of execution set forth below.

Date

Chevy Chase Bank, F.S.B.

By: _____

Name: _____

Title: _____

(Insert notary seal)

(Insert notary seal)

Date

(Insert notary seal)

Attachments

RFF/03010-077/RYP/D06.016c

Fairfax County Park Foundation

By: _____

Name: _____

Robert J. Brennan

Title: _____

Executive Director

Fairfax County Park Authority

By: _____

Name: _____

Michael A. Kane

Title: _____

Director